

North Carolina Agriculture Cost Share Program Review Summary  
(January 2015)

County	<u>Hertford</u>	Date of Previous Review/Report	<u>2001</u>
District Staff Name(s)	<u>Greg Hughes, Dottie Roberson</u>	Date	<u>1/28/2015</u>
NRCS Staff Name(s)	<u></u>		
Division Representative(s)	<u>Lisa Fine, Eric Pare</u>		
Additional Participants	<u></u>		

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
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Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments) Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
When do you schedule your board meetings?				X	At the beginning of the program year a list of meetings is created. Meetings may be cancelled but they usually follow this schedule.		X			
How do you notify the public of the board meeting schedule and does it adhere to the Open Meetings Law?				X	A copy is given to the Clerk of the County Board of Commissioners. And it is posted on office door and on the		X			

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					courthouse bulletin board. Yes, this adheres to the Open Meetings Law.					
When do you develop a conservation plan for a potential applicant?				X	Applicants come in or Greg goes there after they call in and he goes out and does a site evaluation and develop the plan as the project progresses from application stage after determining the need based on resource concerns.		X			
How do you assess the resource concerns on the farm to determine if a BMP is needed and feasible?				X	Greg does the evaluation on what problems they have then develops the plan to meet their needs. He doesn't usually have to deal with people wanting things they don't need. Mainly deals with incentives and grass practices now.		X			
Are applications reviewed and approved by the Board as a separate action item?				X	Yes, applications are reviewed and approved as separate action items.		X			
Are application decisions/motions recorded in the board minutes?				X	Yes, the decisions and motions were recorded in the board minutes.		X			
Because applicants are limited when applying for incentive BMPs, how does your district track the applications for incentive BMPs? Is your district using the self-certification form provided by the division to track incentive BMPs.	X				Greg keeps a running total of who has what incentive and he monitors it. Yes, Greg uses the self-certification form. <b>Commendation:</b> the district is commended for tracking these applicants so as not to exceed the caps and for making sure the		X			

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					applicants certify on our forms that they have not already adopted the practice.					
Please describe how the district tracks applicants who are applying for multiple incentive BMPs or consecutive incentive BMPs.				X	Greg keeps a running total of who has what incentive and he monitors it.		X			
If multiple partners farm together, how does the district track individual applicants as one operation?				X	Greg knows who the farmers are and the farms. Board members do too. FSA numbers and fed tax id numbers are identifiers too.		X			
Once applications are approved, how do you develop a contract?				X	Applications and contracts are done at the same time usually. Not many applications are denied unless there is not enough funding. Greg does the site checks and develops the plan.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?	X				Greg provides a letter explaining the approval timeframes for completion. Greg goes over it in person at their farm or home and the cooperator gets a copy of everything. <b>Commendation:</b> the district is commended for the thorough method of explaining details of contracts and timelines especially through in-person contact so that any questions can be answered at that time.		X			

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What procedures do you follow for notifying the applicant that work can begin?				x	Greg provides a cover letter with the approval and timelines.		X			
What information do you provide the applicant?				X	A copy of the contract, seeding specs, maps, design info (once on site).		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes, contracts are reviewed and approved as separate action items.		X			
<i>Are contract decisions/motions recorded in the board minutes?</i>				X	Yes, decisions and motions are recorded in the board minutes.		X			
Describe the district/board's procedure for approving supervisor contracts.				X	Supervisors are treated the same as everyone else. No points given and none taken away for being supervisors.		X			
<i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i>				X	Yes, it is documented that the supervisor abstained from voting on his own contract.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed by the contract deadline?				X	If structural Greg gives the cooperators the design, if waterway Greg does the layout, design construction, and does construction checks.		X			
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.		X			Greg reviews contracts for completion and corresponds with them by phone if they have not contacted him first. Cooperators ask in writing for an extension. Greg has a binder for each year and it's easy for him to track	X		The District will add a column on their existing spread sheet with the 1/3 tracking date.	Immediately	Plan of Action accepted.

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					status of each contract. Division <b>recommends</b> the district add a column to their spreadsheet to track the 1/3 date. Otherwise the current system is good.					
Is the district recording 6-month extensions in the board minutes?				X	Yes, there was evidence in the board minutes that 6 month extensions were given.		X			
What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?				X	The NC11 form is modified if the BMP installation doesn't match the plan exactly. Waterways have a check off sheet.		X			
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, waterway is measured and recorded in construction check paperwork. Field acreages are measured by FSA maps.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes, there are receipts in the contract files. Not many BMPs here that require receipts. Mostly it's the drop nozzle (irrigation) contracts have receipts.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes, RFPs are reviewed and approved as separate action items.		X			
<i>Are payment decisions/motions recorded in the board minutes?</i>				X	Yes, decisions and motions are recorded in the minutes.		X			

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Section 2: Spot Checks and Compliance Issues										
Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										
Who participates in annual spot checks? When are they conducted?				X	One to three supervisors will attend the spot checks. Greg and possibly NRCS person will go. June is the typical month for spot checks.		X			
How does the district select which contracts to spot check?				X	Greg determines what 5 % of active contracts will be then picks every nth contract from his spreadsheet starting with the most recent year (2014).		X			
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWQ.				X	Yes, Greg goes back to old spot check folders and sees his list of waste projects and makes sure to include them in the list. <b>Note:</b> if not chosen randomly then the waste BMP contracts should be added in addition to the 5%.		X			
How does the district review five percent of all waste utilization plans?				X	If Greg isn't working with them, then he does not review them. 0200 cooperators get reviewed anyway by DWR.		X			
How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.		X			Greg gives them a list of things that need reviewed when NRCS comes around every year. Terry Best did the last review on 11/22/13. <b>Recommendation:</b> the district should contact NRCS when they have something that needs and not wait on	X		The District will contact the NRCS area office or Divisions office when needed for Spot Checks.	Immediately	Plan of Action accepted.


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					the NRCS spot checks which are getting to be less frequent and may exceed the one year requirement.					


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The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation" How does your district notify individuals that have destroyed or mismanaged a BMP?				X	A letter is sent that is signed by the board chairman when maintenance is required or when out of compliance.		X			
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	The results of the spot checks are discussed at the next board meeting. If found throughout the year, letters are sent to the cooperators and brought to board at meetings.		X			
When does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept with the CPO?		X			If found casually, Greg mentions it to farmer. A letter is sent directly after the spot checks findings. Yes, he keeps a copy of the notification in the contract file. <b>Recommendation:</b> the district should send a letter for casual findings of maintenance needs or non-compliance as well as with those found during spot checks. These letters can be written by staff but should be signed by the board chairman.	X		The district will send a certified letter for casual findings of maintenance needs or non-compliance from the Board chairman. We will continue to send a certified letter to those found during spot checks for maintenance needs or non-compliance like we have been doing.	Immediately	Plan of Action accepted.  Also, a copy should be sent to the division cost share specialist.





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If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	Yes, repayment has been requested before. Documentation was provided during the review.		X			
Is the district notifying the division of non-compliance and resolutions?				X	I was able to find in the contract file in our division office a copy of a letter sent to a cooperators about noncompliance and requesting repayment.		X			
<b>Section 3: Record Keeping</b> Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?				X	Greg maintains a spreadsheet to track his funds.		X			
How does the district use the division on-line (website & CS <sup>2</sup> ) reports?				X	Greg uses the reports to check his numbers against the divisions for BMP certification form and payment info.		X			
How are technical assistance funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	TA is tracked in a spreadsheet by Dottie. County does the audit. Audit was done by outside agency after the fiscal year.		X			
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Greg Hughes		X			
How are operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Operating funds are tracked in a spreadsheet by Dottie. County does the audit. Audit was done by outside agency after the fiscal year.		X			

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How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	Matching funds are tracked in a spreadsheet by Dottie too. Included in the county audit as well.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position? Please provide a copy of the latest approved JAA.				X	Yes. I received a copy of the NRCS job approval and can get the SWCC from our website.		X			
Do district supervisors complete supervisor forms when they have a financial interest in an entity requesting a cost share contract? Do we still need this? Dottie/Helen are now monitoring this.				X	The forms have been filled out and Dottie will upload when Kristina gets the site up and running.		X			
<b>Section 4: Contract Reviews and Site Visits</b> Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 46-2006-101 Applicant Name: Leo Whitley BMP: riparian buffer				X	No concerns with contract file.  No concerns with BMP.		X			


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Contract Number: 46-2013-501 Applicant Name: Town of Ahoskie BMP: pet waste receptacles				X	There were no field notes in the file or ranking form. <b>NOTE:</b> Make sure to include those with all files.  No concerns with BMP.		X			


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Contract Number: 46-2009-103 Applicant Name: Jimmy Mason/Hunter Sharp Jr & Son BMP: conservation irrigation				X	There were no notes in the contract file. See previous note about records.  No concerns with BMP.		X			
Contract Number: 46-2012-101 Applicant Name: Winborne Farms BMP: ag pond sediment removal			X		No concerns with contract file.  <b>Corrective Action:</b> BMP needs to have bank stabilized and reseeded. The field draining into the pond in this picture should probably be addressed	X		The District will contact the owner in writing to address the vegetation on the pond silt removal contract.	Immediately	Plan of Action accepted.  The district shall follow-up with the status of this repair with the

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					as well in order to prevent sediment from flowing directly into the pond.					division specialist who conducted the review and include pictures.
Contract Number: 46-2008-012 Applicant Name: Fred Wood, Jr. BMP: diversion, grassed waterway, field border				X	No concerns with contract file. No concerns with BMP.		X			

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Contract Number: 46-2010-502 Applicant Name: Chowan University BMP: backyard rain garden				X	There were no field notes in the contract file. See previous note about records.  No concerns with BMP.		X			



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Contract Number: 46-2014-004 Applicant Name: Sammy Howell/Revelle Investments BMP: rock-lined outlet, grade stabilization		X			No concerns with contract file.  <b>Recommendation:</b> Needs more rip rap and vegetation to stabilize before the entire BMP blows out.	X		The landowner/ operator will be contacted to repair the area. Some additional topsoil and vegetation will be added. This BMP has not had a full growing season on the vegetation.	Immediately	Plan of Action accepted.

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Contract Number: 46-2009-107 Applicant Name: James Mason BMP: conservation irrigation				X	There were no field notes, conservation plan or benchmark measures in the contract file.  No concerns with the BMP.		X			



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